

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	2161.05
COMPLAINT INVESTIGATOR:	Jennifer Campbell
DATE OF COMPLAINT:	April 17, 2004
DATE OF REPORT:	September 14, 2004
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	October 22, 2004

COMPLAINT ISSUES:

Whether the South Harrison School Corporation and the Harrison County Special Education Cooperative violated:

511 IAC 7-27-7(a) by failing to implement the student's individualized education program (IEP) as written, specifically by failing to continue to provide an interpreter for the Golf Team.

511 IAC 7-27-9 by failing to make available to a student with a disability the variety of extracurricular activities, including athletics, that are made available to nondisabled students, specifically by failing to provide an interpreter during the student's participation in the Golf Team at the beginning of the 2004-2005 school year.

FINDINGS OF FACT:

1. The Student has been identified as disabled and determined eligible for special education and related services.
2. The Student's individualized education program (IEP) was developed by the case conference committee (CCC) on April 29, 2004, and carries through the 2004-2005 school year. The IEP calls for "interpreter provided daily." Under the previous IEP the same words were used, and the School provided interpreter services for all of the Student's extracurricular activities including but not limited to golf. Although the IEP does not include a specific schedule of interpreter services for extracurricular activities, the School acknowledged during the April 29th CCC meeting that interpreter services would be provided for extracurricular activities.
3. The IEP indicates that extracurricular activities are a matter of student choice. The Student has chosen the Golf Team as well as other extracurricular activities.
4. The Student has received interpreter services for extracurricular activities since the start of the 2004-2005 school year. The interpreter services remain the same as provided during the 2003-2004 school year.

CONCLUSIONS:

1. Findings of Fact #2 and #4 indicate that the School has implemented the Student's IEP by providing an interpreter for the Golf Team. Therefore, no violation of 511 IAC 7-27-7(a) is found.

2. Findings of Fact #3 and #4 indicate that the School made available to a student with a disability the variety of extracurricular activities, including athletics, made available to nondisabled students, specifically by providing an interpreter during the student's participation in the Golf Team at the beginning of the 2004-2005 school year. Therefore, no violation of 511 IAC 7-27-9 is found.

The Department of Education, Division of Exceptional Learners requires no corrective action based on the Findings of Fact and Conclusions listed above.